

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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: IN RE: : ORDER  
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: : 03 MDL 1570 (GBD) (SN)  
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This document relates to:

*Ray, et al. v. Islamic Republic of Iran, et al.*, 19-cv-00012 (GBD)(SN)

**ORDER GRANTING PARTIAL FINAL DEFAULT JUDGMENT FOR THE  
PLAINTIFFS LISTED IN EXHIBIT A**

GEORGE B. DANIELS, United States District Judge:

The Plaintiffs listed in Exhibit A move for entry of partial final default judgment against Defendant the Islamic Republic of Iran. (ECF No. 10346.<sup>1</sup>) Upon consideration of the evidence and arguments set forth in the Declaration of Timothy B. Fleming and the exhibits thereto (ECF No. 10348); and in light of the default judgment as to liability against the Islamic Republic of Iran entered on February 19, 2020 (ECF No. 5985); together with the entire record in this case, it is hereby

**ORDERED** that service of process in the above-captioned case was properly effectuated upon the Islamic Republic of Iran in accordance with 28 U.S.C. § 1608(a)(4) (*see* ECF Nos. 204 and 312 in 19-cv-00012); and it is

**ORDERED** that partial final default judgment is entered on behalf of the Plaintiffs identified in Exhibit A against the Islamic Republic of Iran; and it is

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<sup>1</sup> Unless otherwise stated, all ECF citations included herein refer to documents filed on the 9/11 multidistrict litigation docket. *See In re Terrorist Attacks on Sept. 11, 2001*, No. 03-md-1570 (GBD) (SN).

**ORDERED** that the Plaintiffs identified in Exhibit A are awarded economic damages as set forth therein, and as supported by the expert reports and analyses tendered in conjunction with the Fleming Declaration (*see* ECF No. 10348)<sup>2</sup>; and it is

**ORDERED** that the Plaintiffs receiving economic damages identified in Exhibit A are awarded prejudgment interest of 4.96 percent per annum, compounded annually, running from the date indicated in the “Date of Report” column therein, until the date of judgment; and it is

**ORDERED** that the Plaintiffs identified in Exhibit A may submit future applications for punitive or other damages at a later date consistent with any future rulings of this Court; and it is


**ORDERED** that Plaintiffs not appearing in Exhibit A may submit in later stages applications for damages awards to the extent they have not done so already.

The Clerk of Court is directed to enter partial final default judgment for the Plaintiffs listed in Exhibit A. The Clerk of Court is further directed to close the motions at:

- ECF No. 10346 in 03-md-1570; and
- ECF No. 327 in 19-cv-00012.

Dated: September 19, 2024  
New York, New York

SO ORDERED.

  
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GEORGE B. DANIELS  
United States District Judge

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<sup>2</sup> The Court has updated the amounts listed in Exhibit A to accurately reflect the updated values (as of October 1, 2024) contained in the expert reports. *See* ECF No. 10348-1 at 56, 94, 129, 163. Additionally, Exhibit A reflects economic damages for Denease Conley based on the expert report’s first scenario—that Ms. Conley continued in her employment as a security guard. *Id.* at 56. To adopt the report’s alternative, second scenario—wherein Ms. Conley changes careers to work as a paralegal—would be to “base [an] award on speculation or guesswork.” *Raishevich v. Foster*, 247 F.3d 337, 343 (2d Cir. 2001). Indeed, the expert report also suggests that Ms. Conley may have instead become an F.D.N.Y. firefighter, but does not calculate damages based on that third scenario. ECF No. 10348-1 at 15.

# **Exhibit A**

Plaintiff, as Personal Representative of the Estate of 9/11 Decedent				9/11 Decedent					Claim Information				Pain & Suffering Damages		Economic Damages					
	First	Middle	Last	Suffix	First	Middle	Last	Suffix	Nation ality	Date of Death	9/11 Site	Case	Complaint	Amendments & Substitutions	Prior Award	Amount	Report	Date of Report	Prior Award	Amount
1	Herman		Ray		Denese		Conley		US	9/11/01	NY	19cv00012	19cv00012, 139 at 13				10348-1	10/1/24	N/A	\$6,341,635
2	Vito		Garfi		Francesco		Garfi		US	9/11/01	NY	19cv00012	19cv00012, 139 at 19				10348-1	10/1/24	N/A	\$22,823,152
3	Danielle		McGuire		Patrick		McGuire		US	9/11/01	NY	19cv00012	19cv00012, 139 at 23				10348-1	10/1/24	N/A	\$19,770,692
4	Elizabeth		Medaglia-Cordes		Rocco		Medaglia		US	9/11/01	NY	19cv00012	19cv00012, 139 at 26				10348-1	10/1/24	N/A	\$5,800,381